



OSPI LEGISLATIVE RECOMMENDATIONS FOR THE REAUTHORIZATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

The reauthorization of the Elementary and Secondary Education Act (ESEA) is generating many significant issues and proposals for its improvement. The Washington State Office of Superintendent of Public Instruction (OSPI) supports the increased achievement of all students to maximize career and college readiness and, to that end, has proposed recommendations that will improve the ESEA. The promise of ESEA will be realized when its implementation is streamlined and adequate resources are available.

The following is offered as a set of state-level recommendations to work within the general framework of ESEA and to assist the nation in reaching the critically important goal of success for each district, school, and student. The proposed changes represent our commitment to advancing essential education reforms.

RECOMMENDATIONS

I. Implement college- and career-ready standards and high-quality, valid, and reliable assessments for all students

1. **Support Innovation:** Allow flexibility to states, districts, and schools to develop creative and innovative educational opportunities/models to assist students in meeting state/national achievement standards. Support innovation in public schools with the same level of incentives that support charter school innovation.
2. **Technology:** Support the use of technological solutions that promote student learning and that allow students to work at their own ability level.
3. **State Flexibility in Designing “Growth Model” Accountability Systems:** We support a consistent definition of success, but seek sufficient latitude in choosing the path to get there. States, with federal approval and support, should have the flexibility to design and implement their own accountability systems which will ensure universal proficiency in reading/language arts and mathematics. With state-level innovations federally promoted, such systems may include indicators of individual student growth and continuous improvement.

4. **Common Core Standards and Aligned Assessments:** We support the development of an internationally bench-marked common core of academic content standards and a system of aligned state assessments that measure student achievement against national and international scales.

5. **Measures for Student Growth and Achievement:** In conjunction with a national goal of ensuring that students exiting K-12 have college- and career-ready knowledge and skills, required measures should include metrics for both growth and achievement of students, which would yield an accurate and easily understood picture of performance and acquisition of prerequisite knowledge and skills.

6. **Nationally Coordinated Strategies for the Assessment of Diverse Students:** The federal government should expand the provisions for assessments to allow for more accurate measures of gifted and low-performing students by permitting the use of out-of-grade-level items that can be reported on a grade-level scale. The federal government should support the coordination of a national test (or selection of assessment options) for use with students who are significantly cognitively challenged. Cross-state development of a national alternate test for these students would yield higher-quality measurement than individual states are able to provide for this unique population. Further, this recommendation would reduce the extraordinary financial burden on state testing systems.

7. **English Language Learner (ELL) Exemptions:** States should be able to grant exemptions from inclusion of ELL students' test scores in the state content assessments in reading/language arts and mathematics during at least their first three years in U.S. schools, or until they have reached proficiency on the annual English language proficiency assessment, whichever comes first.

8. **Adequate Funding for Required Assessments:** The federal government should either adequately fund federally-required assessments to a level that is in line with real costs or eliminate the requirement. The current financial support for assessments is not consistent with the Department's policy direction to increase the use of items and tests that go beyond multiple choice items.

II. Increase teacher and leader effectiveness and ensure an equitable distribution of qualified personnel

9. **Evaluations Connected to Student Achievement:** In addition to state-specific requirements, proper credentialing, and licensure, we support that evaluations of teachers and principals should be logically connected to student achievement.

10. **U.S. Department of Education (ED) Guidance and Funding:** Require ED to work with national principal and teacher organizations to develop guidelines for states to follow in implementation of teacher and principal evaluations – and provide sufficient funding to states through Title II, Part A for this important work.

11. **Career and Technical Education Teachers:** Include career and technical education teachers with industry certifications in the definition of Highly Qualified Teachers.

III. Turnaround the lowest-performing schools

12. **Systemic Model of Support:** Reauthorization must focus on increasing the capacity of districts to accelerate achievement for every student in each of the districts' schools. This would be accomplished by focusing on standards-based curricula, effective instruction, diagnostic assessments, and progress monitoring in every classroom. School-by-school improvement or turnaround has not led to wide-scale improvement across the state. Heavily resourced schools can make dramatic gains, but sustaining those gains when resources are no longer available has been limited.

13. **District and School Improvement Support:** The U.S. Department of Education (ED) should provide states with ongoing, adequate, and dedicated funding to support both district and school improvement efforts, specifically in the areas of systems improvement, building capacity and sustainability.

14. **School Improvement Grants:** Allow states the authority to grant waivers to districts that seek to retain a building principal when using a school reform model that requires principal dismissal. Such waivers would only be granted if the district provided data that indicates the school is moving on a course that will likely produce measurable student improvement in the near future.

15. **Parent Involvement:** Continue to underscore the importance of meaningful and ongoing parent involvement in the success of students and schools.

16. **Determination of District and School Improvement Status:** The state should be able to identify schools and districts for improvement based on not making adequate yearly progress (AYP) in the same subgroup and same content area for two consecutive years.

17. **Public School Choice and Supplemental Educational Services:** Eliminate Public School Choice (PSC) and Supplemental Educational

Services (SES) as consequences for schools which are identified for school improvement. These strategies:

- Are punitive in nature.
- Are not research-based.
- Are ineffective in raising student achievement.
- Serve to divert attention and energy away from the essential work of school and district improvement.
- Act as a siphon on desperately needed federal funding.

18. **Accountability for English Language Learners (ELLs) and Students with Disabilities:** ELL students and students with disabilities are participants in specialized educational programs and should not be treated as separate subgroups for the purpose of AYP calculations. Each is governed by specifically-targeted federal statutes, rules, and guidance issued by ED. The accountability for ELLs is included in and should be limited to ESEA Title III. The accountability for students with disabilities is included in and should be limited to the Individuals with Disabilities Education Act (IDEA). Each student will still be counted in at least two groups (all students and the appropriate race/ethnicity designation), if not three (poverty, if applicable).

IV. Develop and use pre-K-through-post-secondary-and-career data systems

19. **Data Reporting:** ED should eliminate the redundancies and conflicts between state reporting requirements under the implementing regulations of ESEA and IDEA (e.g., grade level versus age level reporting).

20. **Data Systems:** ED should continue to support states' development and use of pre-K through post-secondary and career data systems with an eye to incorporating post-secondary measures into ESEA in the future.

V. Resources and Funding

21. **Title I Funding Formula:** Develop an equitable funding formula that provides the same per pupil allocation across all school districts.

22. **Title I, Part A Administrative Cap:** Remove the existing limit on the administrative one percent (1%) cap from Title I, Part A. The federally-mandated responsibilities on state-level staff have increased. The dollars to support the work should increase proportionately and not be held to an arbitrary threshold.

23. **Title I, Part A Carry-over Limit:** With state approval, and provided the school district is in compliance with ESEA requirements, school districts should be permitted to annually exceed the 15 percent carryover for Title I, Part A.
24. **Migrant Education Student Counts:** Eligible migrant student counts used for funding Title I, Part C (Migrant Education) should reasonably reflect the most current and accurate data available. Most recently, funding to the states was calculated on 2002–03 student counts. Since 2002–03, the national count of eligible migrant students has dropped by one third (1/3) due to industry changes. There is a concern that states that lost a considerable population will lobby for older counts (2002–03) to be used in allocation. We advocate that student counts no older than 2005–06 be used for allocation purposes.
25. **Advanced Placement:** Continue Title I, Part G [Advanced Placement (AP)] funding and provide additional funds for competitive grants.
26. **Teacher and Principal Quality:** Continue funding Title II, Part A at least at the current level. Washington State school districts rely on this important funding source to supplement professional development and provide class size reduction for struggling students. It would make sense to access Title II, Part A in a focused effort to maintain and increase teacher and principal quality.
27. **Technology:** Restore Title II, Part D funding to its historical level. Washington State school districts rely on these funds to provide supplemental funding for technology integration and support competitive grants that provide high-quality professional development for technology integration.
28. **Bilingual:** Change how Title III (Bilingual Education) funding to states is calculated. Current funding is based on the American Community Survey. For the state of Washington, there are three counts: number of students served, number of students funded, and number of students tested. Because states may use different assessments for student placement and may have different formulas for funding the program, the one constant is the number of students annually tested on an English language proficiency test. The recommendation would be to use the annual test count.
29. **Safe and Drug-Free:** Restore and/or continue funding Title IV, Part A (Safe and Drug-Free Schools). Washington State school districts rely on this funding to implement prevention, intervention, and safety programs that improve school climate and keep kids in school.

30. **Title V, Part D:** Fully fund Title V, Part D. This Title provides support for gifted programs, but has never been funded. It would also benefit Washington State if the federal government funds the competitive research grants section. In our concentrated effort to support struggling students, it is important to remember that many gifted students are also students at risk.

31. **McKinney-Vento Education for Homeless Children and Youth Program:** Implement the following items related to McKinney-Vento Education for Homeless Children and Youth Program:

- Retain funding specific to homeless and do not include foster care children. If foster care children need transportation provided, include that expectation, requirements, and money under the health care portion of other legislation.
- Increase federal funding to adequately cover the transportation costs of homeless students who are transported outside of district boundaries.